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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 RONALD HEIMAN,

10 Petitioner,

11 vs.

12 GREG SMITH, et al.,

13 Respondents.
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Case No. 3:14-cv-00471-HDM-VPC

ORDER

15 The court determined that the petition for a writ of habeas corpus was untimely under 28
16 U.S.C. § 2244(d)(1), and the court directed petitioner to show cause why the action should not be
17 dismissed. Order (#3). Petitioner has not responded to the court's order within the allotted time,
18 and the court will dismiss the action.

19 Reasonable jurists would not find the court's conclusion on the timeliness of this action to
20 be debatable or wrong, and the court will not issue a certificate of appealability.

21 IT IS THEREFORE ORDERED that this action is **DISMISSED** with prejudice because the
22 action is untimely. The clerk of the court shall enter judgment accordingly.

23 IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

24 DATED: February 4, 2015.
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27 **HOWARD D. MCKIBBEN**
28 United States District Judge